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MAG T Inc., and Stable, LLC*

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AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

**DOCKETED**

MAY 20 2011

DOCKETED BY

**BEFORE THE ARIZONA CORPORATION COMMISSION**

In the matter of:

MAGLEV WIND TURBINE  
TECHNOLOGIES, INC., et al.

Respondents.

DOCKET NO. S-20788A-11-0096

**ANSWER TO NOTICE OF  
OPPORTUNITY FOR HEARING**

Richard L. Green, RLGMAN Corp., Donald Andrew Rothman, MAG T Inc., and Stable, LLC (“Respondents”), by and through undersigned counsel, hereby answer the Arizona Corporation Commission’s Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, Order for Administrative Penalties and Order for Other Affirmative Action (“Notice”). Except where specifically admitted, Respondents deny each and every allegation in the Notice. Respondents admit, deny, and allege as follows:

1. Respondents admit the allegations in Paragraph 1 of the Notice.
2. No response is required to Paragraph 2 of the Notice.
3. Respondents are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 3 of the Notice and, therefore, deny them.
4. Respondents are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 4 of the Notice and, therefore, deny them.
5. Respondents are without knowledge or information sufficient to form a

1 belief as to the truth or falsity of the allegations in Paragraph 5 of the Notice and,  
2 therefore, deny them.

3 6. Respondents are without knowledge or information sufficient to form a  
4 belief as to the truth or falsity of the allegations in Paragraph 6 of the Notice and,  
5 therefore, deny them.

6 7. Respondents are without knowledge or information sufficient to form a  
7 belief as to the truth or falsity of the allegations in Paragraph 7 of the Notice and,  
8 therefore, deny them.

9 8. Respondents are without knowledge or information sufficient to form a  
10 belief as to the truth or falsity of the allegations in Paragraph 8 of the Notice and,  
11 therefore, deny them.

12 9. Respondents are without knowledge or information sufficient to form a  
13 belief as to the truth or falsity of the allegations in Paragraph 9 of the Notice and,  
14 therefore, deny them.

15 10. Respondents admit the allegations in the first, second, and fourth sentences  
16 of Paragraph 10 of the Notice, but deny the allegations in the third sentence of Paragraph  
17 10.

18 11. Respondents admit the allegations in the first, second, and fourth sentences  
19 of Paragraph 11 of the Notice, but deny the allegations in the third sentence of Paragraph  
20 11.

21 12. Respondents admit the allegations in Paragraph 12 of the Notice.

22 13. Respondents admit the allegations in the first, second, third, and sixth  
23 sentences in Paragraph 13 of the Notice, but deny the allegations in the fourth and fifth  
24 sentences of Paragraph 13.

25 14. Respondents admit the allegations in Paragraph 14 of the Notice.

26 15. Respondents admit the allegations in Paragraph 15 of the Notice.

27 16. Respondents are without knowledge or information sufficient to form a  
28 belief as to the truth or falsity of the allegations in Paragraph 16 of the Notice and,

1 therefore, deny them.

2 17. Respondents are without knowledge or information sufficient to form a  
3 belief as to the truth or falsity of the allegations in Paragraph 17 of the Notice and,  
4 therefore, deny them.

5 18. Respondents are without knowledge or information sufficient to form a  
6 belief as to the truth or falsity of the allegations in Paragraph 18 of the Notice and,  
7 therefore, deny them.

8 19. Respondents deny the allegations in Paragraph 19 of the Notice pertaining  
9 to them. Respondents are without knowledge or information sufficient to form a belief  
10 as to the truth or falsity of the remaining allegations in Paragraph 19 of the Notice and,  
11 therefore, deny them.

12 20. The allegations on Paragraph 20 of the Notice are incomplete and  
13 misleading and, therefore, Respondents deny them.

14 21. Respondents are without knowledge or information sufficient to form a  
15 belief as to the truth or falsity of the allegations in the firsts sentence of Paragraph 21 of  
16 the Notice and, therefore, deny them. To the extent that the remaining allegations in  
17 Paragraph 21 refer to specific documents, those documents speak for themselves and  
18 Respondents deny any allegations that are inconsistent with the contents of those  
19 documents. The remaining allegations in Paragraph 21 employ terms that are undefined,  
20 are incomplete, and inaccurate, and, therefore, Respondents deny them.

21 22. In response to the first sentence of Paragraph 22 of the Notice,  
22 Respondents state to the extent it refers to specific documents, those documents speak  
23 for themselves and Respondents deny any allegations inconsistent with the contents of  
24 those documents. Respondents are without knowledge or information sufficient to form  
25 a belief as to the truth or falsity of the remaining allegations in Paragraph 22 of the  
26 Notice and, therefore, deny them.

27 23. Respondents are without knowledge or information sufficient to form a  
28 belief as to the truth or falsity of the allegations in Paragraph 23 of the Notice and

1 therefore deny them.

2       24. To the extent the allegations in Paragraph 24 of the Notice refer to specific  
3 documents, those documents speak for themselves and Respondents deny any  
4 allegations inconsistent with the contents of those documents. Respondents deny any  
5 remaining allegations in Paragraph 24.

6       25. To the extent the allegations in Paragraph 25 of the Notice refer to specific  
7 documents, those documents speak for themselves and Respondents deny any  
8 allegations inconsistent with the contents of those documents. Respondents deny any  
9 remaining allegations in Paragraph 25.

10       26. To the extent the allegations in Paragraph 26 of the Notice refer to specific  
11 documents, those documents speak for themselves and Respondents deny any  
12 allegations inconsistent with the contents of those documents. Respondents deny any  
13 remaining allegations in Paragraph 26.

14       27. To the extent the allegations in Paragraph 27 of the Notice refer to specific  
15 documents, those documents speak for themselves and Respondents deny any  
16 allegations inconsistent with the contents of those documents. Respondents deny any  
17 remaining allegations in Paragraph 27.

18       28. To the extent the allegations in Paragraph 28 of the Notice refer to specific  
19 documents, those documents speak for themselves and Respondents deny any  
20 allegations inconsistent with the contents of those documents. Respondents deny any  
21 remaining allegations in Paragraph 28.

22       29. To the extent the allegations in Paragraph 29 of the Notice refer to specific  
23 documents, those documents speak for themselves and Respondents deny any  
24 allegations inconsistent with the contents of those documents. Respondents deny any  
25 remaining allegations in Paragraph 29.

26       30. To the extent the allegations in Paragraph 30 of the Notice refer to specific  
27 documents, those documents speak for themselves and Respondents deny any  
28 allegations inconsistent with the contents of those documents. Respondents deny any

1 remaining allegations in Paragraph 30.

2 31. To the extent the allegations in Paragraph 31 of the Notice refer to specific  
3 documents, those documents speak for themselves and Respondents deny any  
4 allegations inconsistent with the contents of those documents. Respondents deny any  
5 remaining allegations in Paragraph 31.

6 32. To the extent the allegations in Paragraph 32 of the Notice refer to specific  
7 documents, those documents speak for themselves and Respondents deny any  
8 allegations inconsistent with the contents of those documents. Respondents deny any  
9 remaining allegations in Paragraph 32.

10 33. To the extent the allegations in Paragraph 33 of the Notice refer to specific  
11 documents, those documents speak for themselves and Respondents deny any  
12 allegations inconsistent with the contents of those documents. Respondents deny any  
13 remaining allegations in Paragraph 33.

14 34. To the extent the allegations in Paragraph 34 of the Notice refer to specific  
15 documents, those documents speak for themselves and Respondents deny any  
16 allegations inconsistent with the contents of those documents. Respondents deny any  
17 remaining allegations in Paragraph 34.

18 35. To the extent the allegations in Paragraph 35 of the Notice refer to specific  
19 documents, those documents speak for themselves and Respondents deny any  
20 allegations inconsistent with the contents of those documents. Respondents deny any  
21 remaining allegations in Paragraph 35.

22 36. Respondents are without knowledge or information sufficient to form a  
23 belief as to the truth or falsity of the allegations in Paragraph 36 of the Notice and,  
24 therefore, deny them.

25 37. Respondents deny the allegations in Paragraph 37 of the Notice.

26 38. Respondents are without knowledge or information sufficient to form a  
27 belief as to the truth or falsity of the allegations in Paragraph 38 of the Notice and,  
28 therefore, deny them.

1           39. Respondents are without knowledge or information sufficient to form a  
2 belief as to the truth or falsity of the allegations in Paragraph 39 of the Notice and,  
3 therefore, deny them.

4           40. Respondents are without knowledge or information sufficient to form a  
5 belief as to the truth or falsity of the allegations in Paragraph 40 of the Notice and,  
6 therefore, deny them.

7           41. Respondents are without knowledge or information sufficient to form a  
8 belief as to the truth or falsity of the allegations in Paragraph 41 of the Notice and,  
9 therefore, deny them.

10          42. To the extent the allegations in Paragraph 42 of the Notice refer to specific  
11 documents, those documents speak for themselves and Respondents deny any  
12 allegations inconsistent with the contents of those documents. Respondents deny any  
13 remaining allegations in Paragraph 42.

14          43. To the extent the allegations in Paragraph 43 of the Notice refer to specific  
15 documents, those documents speak for themselves and Respondents deny any  
16 allegations inconsistent with the contents of those documents. Respondents deny any  
17 remaining allegations in Paragraph 43.

18          44. Respondents are without knowledge or information sufficient to form a  
19 belief as to the truth or falsity of the allegations in Paragraph 44 of the Notice and,  
20 therefore, deny them.

21          45. To the extent the allegations in Paragraph 45 of the Notice refer to specific  
22 documents, those documents speak for themselves and Respondents deny any  
23 allegations inconsistent with the contents of those documents. Respondents deny any  
24 remaining allegations in Paragraph 45.

25          46. To the extent the allegations in Paragraph 46 of the Notice refer to specific  
26 documents, those documents speak for themselves and Respondents deny any  
27 allegations inconsistent with the contents of those documents. Respondents deny any  
28 remaining allegations in Paragraph 46.

1           47. To the extent the allegations in Paragraph 47 of the Notice refer to specific  
2 documents, those documents speak for themselves and Respondents deny any  
3 allegations inconsistent with the contents of those documents. Respondents deny any  
4 remaining allegations in Paragraph 47.

5           48. Respondents are without knowledge or information sufficient to form a  
6 belief as to the truth or falsity of the allegations in Paragraph 48 of the Notice and,  
7 therefore, deny them.

8           49. Respondents are without knowledge or information sufficient to form a  
9 belief as to the truth or falsity of the allegations in Paragraph 49 of the Notice and,  
10 therefore, deny them.

11          50. To the extent the allegations in Paragraph 50 of the Notice refer to specific  
12 documents, those documents speak for themselves and Respondents deny any  
13 allegations inconsistent with the contents of those documents. Respondents deny any  
14 remaining allegations in Paragraph 50.

15          51. To the extent the allegations in Paragraph 51 of the Notice refer to specific  
16 documents, those documents speak for themselves and Respondents deny any  
17 allegations inconsistent with the contents of those documents. Respondents deny any  
18 remaining allegations in Paragraph 51.

19          52. To the extent the allegations in Paragraph 52 of the Notice refer to specific  
20 documents, those documents speak for themselves and Respondents deny any  
21 allegations inconsistent with the contents of those documents. Respondents deny any  
22 remaining allegations in Paragraph 52.

23          53. To the extent the allegations in Paragraph 53 of the Notice refer to specific  
24 documents, those documents speak for themselves and Respondents deny any  
25 allegations inconsistent with the contents of those documents. Respondents deny any  
26 remaining allegations in Paragraph 53.

27          54. To the extent the allegations in Paragraph 54 of the Notice refer to specific  
28 documents, those documents speak for themselves and Respondents deny any

1 allegations inconsistent with the contents of those documents. Respondents deny any  
2 remaining allegations in Paragraph 54.

3 55. To the extent the allegations in Paragraph 55 of the Notice refer to specific  
4 documents, those documents speak for themselves and Respondents deny any  
5 allegations inconsistent with the contents of those documents. Respondents deny any  
6 remaining allegations in Paragraph 55.

7 56. To the extent the allegations in Paragraph 56 of the Notice refer to specific  
8 documents, those documents speak for themselves and Respondents deny any  
9 allegations inconsistent with the contents of those documents. Respondents deny any  
10 remaining allegations in Paragraph 56.

11 57. To the extent the allegations in Paragraph 57 of the Notice refer to specific  
12 documents, those documents speak for themselves and Respondents deny any  
13 allegations inconsistent with the contents of those documents. Respondents deny any  
14 remaining allegations in Paragraph 57.

15 58. To the extent the allegations in Paragraph 58 of the Notice refer to specific  
16 documents, those documents speak for themselves and Respondents deny any  
17 allegations inconsistent with the contents of those documents. Respondents deny any  
18 remaining allegations in Paragraph 58.

19 59. To the extent the allegations in Paragraph 59 of the Notice refer to specific  
20 documents, those documents speak for themselves and Respondents deny any  
21 allegations inconsistent with the contents of those documents. Respondents deny any  
22 remaining allegations in Paragraph 59.

23 60. To the extent the allegations in Paragraph 60 of the Notice refer to specific  
24 documents, those documents speak for themselves and Respondents deny any  
25 allegations inconsistent with the contents of those documents. Respondents deny any  
26 remaining allegations in Paragraph 60.

27 61. Respondents deny the allegations in Paragraph 61 of the Notice.

28 62. Respondents are without knowledge or information sufficient to form a



1 belief as to the truth or falsity of the allegations in Paragraph 62 of the Notice and,  
2 therefore, deny them.

3 63-71. Respondents deny the allegations in Paragraphs 63-71 of the Notice.

4 **Affirmative Defenses**

5 1. Respondents did not participate in offering or selling securities

6 2. Respondents did not cause any person to suffer losses as a result of acts  
7 alleged in the Notice.

8 3. Any claimed misrepresentations or omissions were immaterial to any  
9 individual's decision to invest.

10 4. Respondents did not know and could not have known in the exercise of  
11 reasonable care of any untrue statement or misleading omission.

12 **Prayer for Relief**

13 WHEREFORE, having fully answered the Notice, Respondents pray:

14 A. That Respondents be found not to have violated Arizona Securities laws;

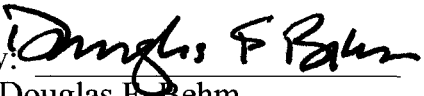
15 B. That Respondents be found not liable for any restitution, administrative  
16 penalties, or fines;

17 C. That this Notice be dismissed with prejudice; and

18 D. For such other and further relief as deemed appropriate by the Commission.

19 Respectfully submitted this 20<sup>th</sup> day of May 2011.

20 **DOUGLAS F. BEHM, PLLC**

21 By: 

22 Douglas F. Behm  
23 14362 N. Frank Lloyd Wright Blvd.  
24 Suite 1000  
25 Scottsdale, Arizona 85260  
26 Attorney for Respondents Richard L.  
27 Green, RLGMAN Corp., Donald  
28 Andrew Rothman, MAG T Inc., and  
Stable, LLC

1 ORIGINAL and 13 copies of the foregoing  
2 filed this 20<sup>th</sup> day of May 2011 with:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 West Washington St.  
6 Phoenix, AZ 85007

7 I hereby certify that I have this day  
8 served the foregoing documents on all  
9 parties of record in this proceeding, by  
10 e-mail and by mailing a copy thereof,  
11 properly addressed with first class  
12 postage prepaid to:

13 William W. Black, Esq.  
14 **ARIZONA CORPORATION COMMISSION**  
15 Securities Division  
16 1300 West Washington; 3<sup>rd</sup> Floor  
17 Phoenix, AZ 85007; and

18 Brian Schulman, Esq.  
19 **GREENBERG TRAURIG, LLP**  
20 Suite 700  
21 2375 E. Camelback Rd.  
22 Phoenix, AZ 85016

23 Dated at Scottsdale, Arizona,  
24 this 20<sup>th</sup> day of May 2011

25   
26 Douglas F. Behm